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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,618	11/30/2001	David Stein	1136/032	4922
75	90 11/08/2005		EXAMINER	
David Stein			NGUYEN, KIEN T	
319 West 106 Street #2A NewYork, NY 10025		ART UNIT PA		PAPER NUMBER
,			3711	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

			Tula				
	Application No.	Applicant(s)					
Advisory Action	09/998,618	STEIN, DAVID					
Before the Filing of an Appeal Brief	Examiner	Art Unit					
	Kien T. Nguyen	3711					
The MAILING DATE of this communication appe	ears on the cover sheet with the d	correspondence add	ress				
THE REPLY FILED 06 October 2005 FAILS TO PLACE THIS A	APPLICATION IN CONDITION FOR	RALLOWANCE.					
 The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Notal Request for Continued Examination (RCE) in compliant time periods: The period for reply expires 3 months from the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL The Notice of Appeal was filed on A brief in company to the set of the	n the same day as filing a Notice of wing replies: (1) an amendment, affortice of Appeal (with appeal fee) in once with 37 CFR 1.114. The reply must be of the final rejection. Advisory Action, or (2) the date set forth atter than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE 06.07(f). on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing day.	Appeal. To avoid aba fidavit, or other eviden compliance with 37 CF ust be filed within one in the final rejection, whig date of the final rejection of the fee. The appropriat of the fee. The appropriationally set in the final Officite of the final rejection, e	ichever is later. In on. ILED WITHIN te extension fee ate extension fee ce action; or (2) as even if timely filed,				
filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	e appeal. Since				
AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo (c) They are not deemed to place the application in be appeal; and/or (d) They present additional claims without canceling a NOTE: See Continuation Sheet. (See 37 CFR 1.1	nsideration and/or search (see NO ow); tter form for appeal by materially re corresponding number of finally rej 16 and 41.33(a)).	TE below); ducing or simplifying t ected claims.	the issues for				
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):							
 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 							
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,2,5,24,25,29,35,44 and 46-49. Claim(s) withdrawn from consideration:		I be entered and an e	xplanation of				
AFFIDAVIT OR OTHER EVIDENCE							
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 							
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).							
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER							
11. The request for reconsideration has been considered bu	t does NOT place the application in	n condition for allowan	ice because:				
12. Note the attached Information Disclosure Statement(s). 13. Other:	(PTO/SB/08 or PTO-1449) Paper N	Kien T. Nguyen Primary Examiner Art Unit: 3711					

U.S. Patent and Trademark Office PTOL-303 (Rev. 7-05) Continuation of 3. NOTE: The proposed new limitation "streaming with water from a downpouring showhead" requires further search and consideration.